

## **REMARKS**

In the Final Office Action mailed March 19, 2010, the Examiner rejected claims 1-5, 9-11, 13-21, and 29-30 under 35 U.S.C. § 112, and the Examiner rejected claims 22-25 under 35 U.S.C. § 103(a).

Applicant requests reconsideration in view of the remarks below.

### **I. Response to Rejection of Claims under 35 U.S.C. § 112**

The Examiner rejected claims 1-5, 9-11, 13-21, and 29-30 under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. The Examiner stated that the claims contain subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors, at the time the application was filed, had possession of the claimed invention. The Examiner stated that the specification does not disclose "after sending the message indicating the location granularity preference of the user into the network, sending an origination message to initiate the voice call".

The Specification as filed includes many examples that describe this claim limitation. For example, on page 15 at line 17 to page 16 at line 5, the Specification states

Figures 4A, 4B, and 4C illustrate a portion of the arrangement shown in Figure 1, and examples of signaling within this portion to convey location granularity preferences from a client station to a location-based service provider. In one embodiment, upon detection of a request to initiate a voice call, the mobile station 14 may be programmed to send a message including the user's location granularity preferences to the location application 26, which corresponds to the dialed telephone number, as shown in Figure 4A. *After sending the message, the mobile station 14 will then initiate a voice call to the dialed telephone number in a conventional manner, in order to contact the location application 26.* The location application 26 will query the location system 28 through the packet network 30 after receiving the preferences message to determine the location of the mobile station 14 (described below). In turn, the location system 28 will send the location of the mobile station 14 to the location application 26, which can then adjust the location according to the user's preferences that were included in the preferences message.

Further, the Specification as filed includes other examples that describe this claim limitation at least on page 6, and pages 15-16.

Applicant requests withdraw of the rejection of claims 1-5, 9-11, 13-21, and 29-30 under 35 U.S.C. § 112.

## **II. Response to Rejection of Claims under 35 U.S.C. § 103**

The Examiner rejected claims 22-25 under 35 U.S.C. § 103(a) as being unpatentable over Barclay (US Pub. 2003/0119522) in view of Nykanen (US Pub. 2002/0173317).

Applicant disagrees that the cited art renders claims 22-25 unpatentable. However, in order to expedite the issuance of a patent on the present application, Applicant has cancelled claims 22-25 from the application. Applicant reserves the right to pursue the patenting of the subject matter of claims 22-25 in a continuing application.

## **III. Conclusion**

Applicant requests issuance of a Notice of Allowance at this time. Due to the lengthy prosecution of this application, Applicant requests the Examiner to call the undersigned below at (312) 913-3331 if the Examiner has any remaining questions about the present application.

Respectfully submitted,

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By: /Joseph A. Herndon/  
Joseph A. Herndon  
Reg. No. 50,469